

03-21-05

EFW 1532



Express Mail Label No.: EV392124877US  
Date of Deposit: March 18, 2005

Attorney Docket No: 20363-004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Gong and Kufe  
SERIAL NUMBER : 09/782,492 EXAMINER : Qian J. Li  
FILING DATE : February 12, 2001 ART UNIT : 1632  
FOR : CELL FUSIONS AND METHODS OF MAKING AND USING THE SAME

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Enclosed herewith for filing in the above-identified application are the following papers:

1. Response to Notice of Non-Compliant Amendment (2 pages); and
2. Return Postcard.

Please charge any fees that may be due to Deposit Account No. 50-0311, Attorney  
Reference No. 20363-004. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

Ivor R. Elrifi (Reg. No. 39,529)  
Cynthia A. Kozakiewicz (Reg. No. 42,764)  
Gregory J. Sieczkiewicz (Reg. No. 48,223)  
Attorneys/Patent Agent for Applicants  
C/O MINTZ LEVIN  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623

Dated: March 18, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gong and Kufe  
SERIAL NUMBER: 09/782,492 EXAMINER: Qian J. Li  
FILING DATE: February 12, 2001 ART UNIT: 1632  
FOR: CELL FUSIONS AND METHODS OF MAKING AND USING THE SAME

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 C.F.R. § 1.121**

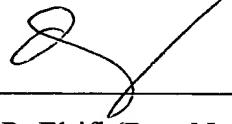
This paper is in response to the Notice of Non-Compliant Amendment ("the Notice"), mailed March 7, 2005, indicating that the Communication filed February 8, 2005 does not comply with 37 C.F.R. § 1.121 because a complete listing of all the claims was not present in the copy of the May 14, 2004 Amendment and Response, which was filed with the Communication. Applicants believe that the Notice was mailed in error for the following reason.

In the Communication filed February 8, 2005, Applicants respectfully requested that the Examiner treat the authorization to charge additional fees that was contained in the May 14, 2004 Amendment and Response as a constructive petition for extension of time in the above-referenced application. A courtesy copy of the May 14, 2004 Amendment and Response was provided solely to demonstrate that this document contained the necessary language of authorization and was not provided for substantive purposes as the Examiner had previously acted upon the May 14, 2004 Amendment and Response by issuing the Office Action mailed August 5, 2004. Therefore, Applicants assert that the Notice mailed March 7, 2005 was mailed in error.

Applicants believe that no fees are due in this filing, however, the Commissioner is authorized to charge any fees due, or credit any overpayment of same, to the undersigned's account, Deposit Account No. 50-0311, Reference No. 20363-004.

Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



---

Ivor R. Elrifi (Reg. No. 39,529)  
Cynthia A. Kozakiewicz (Reg. No. 42,764)  
Gregory J. Sieczkiewicz (Reg. No. 48,223)  
Attorneys/Agent for Applicants  
c/o MINTZ, LEVIN  
Tel: (617) 542 6000  
Fax: (617) 542 2241  
**Customer Number 30623**

Dated: March 18, 2005